

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD
IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

KIRK D ALMENDINGER,
RESPONDENT

FINAL DECISION AND ORDER
LS0009061DEN

Division of Enforcement Case file No. 00 DEN 005

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Kirk D. Almendinger
9700 235th Street N
Forest Lake, MN 55025

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Kirk D. Almendinger (D.O.B. 06/11/56), is duly licensed as a dentist in the state of Wisconsin (license # 2923). This license was first granted on May 4, 1982.
2. Dr. Almendinger's most recent address on file with the Wisconsin Dentistry Examining Board is 9700 235th Street N, Forest Lake, MN 55025.
3. Respondent's Wisconsin license to practice dentistry expired effective September 30, 1999. On exact dates unknown, but between October 1, 1999 and continuing on through March 12, 2000, Respondent continued practice as a dentist in the state of Wisconsin without current license registration
4. On May 22, 1999, the Wisconsin Dentistry Examining Board issued an Order imposing terms and conditions upon the grant of renewal of Respondent's license, based upon findings that between November 13, 1997 and August 31, 1998 Respondent had practiced dentistry in Wisconsin without current license registration.
5. In resolution of this matter, Dr. Almendinger consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Dentistry Examining Board has jurisdiction over this matter pursuant to chapter 447.07 of the Wisconsin statutes.
2. The Wisconsin Dentistry Examining Board is authorized to enter into the attached stipulation, pursuant to sec.

227.44(5), Stats.

3. The conduct described above constitutes a basis for discipline under secs. 447.03(1) and 447.07(3)(a) and (f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Kirk D. Almendinger (license #2923) is **REPRIMANDED**.

IT IS FURTHER ORDERED THAT the license of Dr. Almendinger to practice dentistry in the state of Wisconsin shall be **LIMITED** as follows:

1. Within thirty (30) days from the date of this Order, Respondent shall submit documentation to the Department Monitor certifying that he has notified the following of his work as a dentist without current registration:

a. All private insurance carriers (if any) who provided coverage and paid for dental services performed by Respondent during the time period between October 1, 1999 and March 12, 2000; and

c. E.D.S. Federal, 6406 Bridge Road, Madison, WI 53784, if Medicare/Medicaid provided coverage and paid for dental services performed by Respondent during the time period between October 1, 1999 and March 12, 2000.

2. Within one hundred and eighty [180] days from the date of this Order, Respondent shall pay partial costs of this proceeding in the amount of five hundred (\$500.00) dollars. **Payment shall be made via certified check or money order and shall be made payable to the Wisconsin Department of Regulation and Licensing**, and mailed to Department Monitor.

3. Within one (1) year of the date of this Order, Respondent shall submit documentation acceptable to the Board of successful completion of at least one hundred (100) hours of community service acceptable to the Board. Community Service shall be pre-approved by the Department Monitor; approval shall be granted only in settings where a system acceptable to the Board exists for verification of hours worked and services provided. Acceptable documentation shall include certification from the sponsoring organization as well as an affidavit executed by Respondent verifying that he performed the community service hours in their entirety. Respondent shall submit for approval an initial proposal for his community service no later than sixty [60] days from the date of this Order.

Department monitor

4. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and payments. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-7139

SUMMARY SUSPENSION

5. In the event Respondent fails to timely comply with any of the terms and conditions set forth above, the Respondent's license (#2923) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

6. This Order shall become effective upon the date of its signing.

WISCONSIN DENTISTRY EXAMINING BOARD

By: Mark Curran

9-6-00

On behalf of the Board

Date